

Remarks

Reconsideration of the application is respectfully requested.

Claims 1-21 were rejected in the final Office Action mailed September 11, 2006. Of those claims, claims 1, 11, and 21 have been amended to further clarify the scope and nature of the claimed invention, as claimed in claims 1-21. Accordingly, claims 1-21 remain pending in the application.

Applicants thank the Examiner for the consideration of Applicants' arguments provided in Applicants' May 24, 2006 Response.

Claim Rejections under 35 U.S.C. § 102

In "Claim Rejections – 35 USC § 102" item 2 on page 2 of the above-identified Office Action, claims 1-2, 5-6, 11-12, 15-16, and 21 have been rejected as being fully anticipated by U.S. Patent No. 6,675,353 to *Friedman* (hereinafter "Friedman") under 35 U.S.C. § 102(e).

As amended, claim 1 recites a method comprising:

 "reading and parsing, by a computer system, a data processing representation, the data processing representation including a declaration reference to an executable namespace and an expression referencing a function of the executable namespace;

 recognizing, by the computer system, the declaration reference and the expression;

 instantiating, by the computer system, the referenced function or a function creator to create the function, then instantiate the created function; and

 evaluating, by the computer system, the expression using the instantiated function."

In contrast, Friedman simply teaches a method of generating an XML document that does not disclose, expressly or inherently, recognizing expressions referencing functions of namespaces, instantiating those functions (including creating the functions, if necessary), and evaluating the expressions using the functions, as is claimed by claim 1. Rather, Friedman teaches a request object that receives request information from a client application and, in response, generates an XML document. The client application may transmit namespace values and property values associated with the namespaces through API functions *of the request object*, such as "AddNamespace" and "AddProperty." The request object may receive the values, may store the values in a data structure, and may assign a moniker to a namespace value to return to the client application. The moniker may then be used by the client application to associate the property values it transmits with the appropriate namespaces. Upon receiving all of the information from the client application, the request object may invoke one of its methods to generate an XML document.

In responding to Applicants' arguments, the Examiner asserts that the AddNamespace function and an assignment function, both of the request object, are "function[s] of the executable namespace," and that their use implicitly teaches the recognition of the functions (final Office Action, pages 3-4). Applicants readily concede that the AddNamespace and assignment functions are recognized. Claim 1 requires, however, that the function referenced by the recognized expression be a "function of the executable namespace." The AddNamespace function and the assignment function are functions of the request object, not functions of one or more of the namespaces added by the request object in response to the client invoking the AddNamespace method. Thus, while Friedman arguably discloses recognizing an expression referencing a function, the function referenced is not a "function of the executable namespace", and consequently does not anticipate claim 1. In fact, the namespaces of Friedman do not even have functions. Friedman teaches properties "of the executable namespace", but not functions of the namespace.

Accordingly, it further follows that Friedman does not teach “instantiating the referenced function or a function creator to create the function” or “evaluating the expression using the instantiated function.” The function in both cases is the “function of the executable namespace” recited in the prior limitation of claim 1. As mentioned above, Friedman teaches no such functions. Thus, Friedman further does not disclose the “instantiating” or “evaluating” recited by claim 1.

Also, on page 3 of the final Office Action, the Examiner asserts that “recognizing a declaration reference” can be performed by a user viewing a monitor. The amendment to claim 1 forecloses this interpretation and requires that the recognizing be performed by a computer system. Accordingly, Friedman simply does not teach “recognizing, by the computer system, the declaration reference....”

As mentioned, the functions taught by Friedman, such as “AddNamespace”, simply do not read on “a function of the executable namespace.” As the term is used in the Specification of the present application, a “namespace” is identified by a URI representing a hostname or path. A “function of the executable namespace” is a function located on the host or in the path represented by the URI identifying the namespace (see pgs. 5-6 of the Specification of the present application, discussing the following exemplary expression referencing a function of an executable namespace: “<math:add xmlns:math='x://bestuniversity.edu/mathdept/mathlibr/'>”). In the parenthetical example, “math:add” is the “expression referencing a function” (here, a function named “add”), where “add” is a function that may be found at the URI “bestuniversity.edu/mathdept/mathlibr/.” None of the functions disclosed by Friedman are taught as being located on a host or in a path identified by the namespace value.

Accordingly, claim 1 is not anticipated by Friedman under 35 USC §102(e).

Claims 11 and 21 recite similar limitations similar to those of claim 1. Thus, for at least the same reasons, claims 11 and 21 are not anticipated by Friedman.

Claims 2, 5-6, 12, and 15-16 depend from claims 1 and 11, incorporating their limitations respectively. Thus, for at least the same reasons, claims 2, 5-6, 12, and 15-16 are not anticipated by Friedman.

Claim Rejections under 35 U.S.C. § 103

In "Claim Rejections – 35 USC § 103" item 4 on page 6 of the above-identified final Office Action, claims 3-4, 7-10, 13-14, and 17-20 have been rejected as being unpatentable over Friedman under 35 U.S.C. § 103 (a).

Claims 3-4, 7-10, 13-14, and 17-20 depend from claims 1 and 11, incorporating their limitations respectively. Thus, for at least the same reasons that claims 1 and 11 are not anticipated by or obvious in view of Friedman, claims 3-4, 7-10, 13-14, and 17-20 are patentable over Friedman.

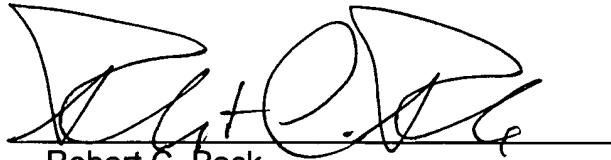
Conclusion

In view of the foregoing, reconsideration and allowance of claims 1-21 are solicited. As a result of the amendments made herein, Applicants submits that claims 1-21 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: October 18, 2006

by:

A handwritten signature in black ink, appearing to be 'R. C. Peck', written over a horizontal line.

Robert C. Peck
Reg. No.: 56,826

Schwabe, Williamson & Wyatt, P.C.
Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97222
Telephone: 503-222-9981